

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WILLIAM CUMMINGS,	:	CIVIL NO. 3:15-CV-2245
	:	
Plaintiff,	:	(Judge Conaboy)
	:	
v.	:	
	:	(Magistrate Judge Carlson)
SERGEANT VOLACK, et al.,	:	
	:	
Defendants.	:	

MEMORANDUM AND ORDER

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

The plaintiff, who is proceeding *pro se*, commenced this action by a complaint on November 23, 2015. (Doc. 1.) The plaintiff has filed a series of motions to amend his complaint, most recently filing a motion to amend on April 7, 2016. (Doc. 34.) Recognizing that leave to amend should be liberally granted, we granted this motion and the clerk was directed to file the proposed amended complaint, (Doc. 34-1.) as the amended complaint in this case.

Counsel has entered an appearance for numerous corrections defendants, and we have set, and extended discovery deadlines in this case. As discovery drew to a close on February 1, 2017, Cummings filed a motion for sanctions, (Doc. 61.), which alleged that one of the defendants in this lawsuit, defendant Boyes, should be

sanctioned for failing to respond to interrogatories. (Id.) Defendant Boyes, through counsel, has responded to this motion, noting that the interrogatories received from the plaintiff did not include a request for interrogatory responses from defendant Boyes. (Doc. 63, and 63-1.) Given that Cummings' interrogatories did not clearly include defendant Boyes, we will DENY this motion for sanctions since Boyes could have justifiably declined to respond to interrogatories that were not addressed to him.

IT IS ORDERED however, that Cummings may propound interrogatories upon Boyes on or before **March 21, 2017**. Boyes may then respond to these interrogatories as provided for by the Federal Rules of Civil Procedure.

The defendants have also sought an extension of time in which to file dispositive motions. (Doc. 65.) Having allowed the plaintiff an extension of time in which to complete discovery, we will GRANT this motion and extend the dispositive motions deadline to **April 21, 2017**, in order to allow the defendants sufficient additional time to complete any discovery responses and file any dispositive motions.

SO ORDERED, this 1st day of March, 2017.

S/Martin C. Carlson

Martin C. Carlson

United States Magistrate Judge